

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, :
: :
: :
- v. - :
: :
: :
TODD NEWMAN, No. 12-CR-00121 (RJS)
: :
: :
: :
Defendant. :
: :
----- x

DEFENDANT TODD NEWMAN'S
NOTICE OF SUPPLEMENTAL SENTENCING SUBMISSION

PLEASE TAKE NOTICE that defendant Todd Newman hereby submits, as a supplement to his sentencing submission filed on April 18, 2013, a letter recently received by his undersigned counsel in support of his sentencing. The letter is attached hereto as Exhibit A.

Dated: New York, New York
May 1, 2013

Respectfully submitted,

SHEARMAN & STERLING LLP

By: /s/ John A. Nathanson
Stephen Fishbein
John A. Nathanson
Sara Ricciardi
599 Lexington Avenue
New York, NY 10022-6069
Tel: 212-848-4000

Attorneys for Defendant Todd Newman

Exhibit A

HONORABLE RICHARD J. SULLIVAN
U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT, NY
500 PEARL ST. NEW YORK, NY
10007

Dear Judge Sullivan,

I am writing this letter on behalf of my good friend, Todd Newman, who was convicted of Securities Fraud in December 2012. To those of us who know him well, the news left us reeling and searching for answers since it is so totally and utterly out of character for him. I have had the privilege of calling him my friend for the majority of my 45 years and can say for certain that what I've read in various news sources about Todd does not in any way resemble the person I know. My older brother, Jack McDonald, was one of his best friends growing up together in Wilton, Connecticut and graduating from the High School. Todd was often at our house and our families both attended Our Lady of Fatima church, also in Wilton. He was always a down-to-earth, soft-spoken person who was quick to laugh. He and I were baseball players in a town dominated by lacrosse and we joked about being the outcasts. He is the only one of my brother's friends whom I stayed in touch with after we had moved on to college.

and I hope to communicate the importance of Todd's impact on my life with the following:

After graduating from Plymouth State College with a B.A. in Political Science in 1992, I was researching potential places to live and work. I contacted Todd, amongst other people whose opinions I valued, to seek his advice. He had graduated from Skidmore College in Saratoga, New York and was familiar with the Greater Albany area. He knew me well enough to not recommend city life but that he could picture me in Vermont, a place he also knew well growing up skiing at Okemo mountain. It turned out to be the most important piece of advice I've ever taken. I moved to Vermont the following year, found employment and a fiancee and was married in August of 1995 in Peru, Vermont. In my seventeen years of marriage, we have raised our family of three children here in Windham, Vermont and I've enjoyed a rewarding career as a home heating and plumbing contractor. My wife works on a local dairy farm and I couldn't imagine a more idyllic life than the one I have here. Todd Newman is the person whose sound advice brought me here and I will be forever grateful for his guidance.

Todd is a loving father to his daughter [REDACTED]

and I know the thought of being away from her is unbearable for him. He has a strong family and network of friends who will stand by him regardless of the sentence. I believe strongly in the integrity of our court system in this great country and have the utmost faith in the wisdom of its judiciary. Todd has been convicted of a crime and I do not make light of it nor its potential penalty. My hope is that I have cast a positive light on the character of Todd and that his profound influence on my life not go unnoticed.

Sincerely,
Peter McDonald
Windham, VT